

INTERFERENCE DIGEST

Interference No. 105,343

Paper No.

Name: Shoichi Yamazaki et al.

Serial No.: 09/511,243

Patent No.

Title: Head-up display device with curved optical surface having total reflection

Filed: 02/23/00

Interference with Takahashi

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, _____ Dated, _____

Court, _____ Dated, _____

REMARKS

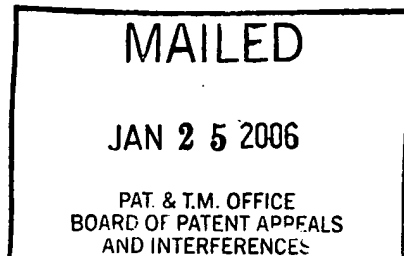
This should be placed in each application or patent involved in interference in addition to the interference letters.



UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Judge Richard E. Schafer
Telephone: 571-272-9797
Facsimile: 571-273-0042



Applicants: YAMAZAKI
Application No.: 09/511,243
Filed: 02/23/00
For: Head-up display device with curved optical
surface having total reflection

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,343.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/Richard E. Schafer/
RICHARD E. SCHAFFER
Administrative Patent Judge

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Paper 1

Filed January 25, 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

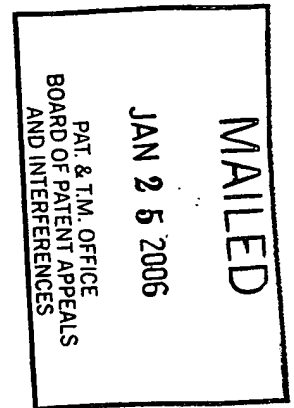
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Olympus Optical Co., LTD.,
Junior Party
(Patents: 6,195,207; 6,317,267 & 5,875,056
Named Inventor: Koichi Takahashi)

v.

Canon Kabushiki Kaisha,
Senior Party
(Application 09/511,243
Named Inventors: Shoichi Yamazaki and Takeshi Nishimura).

Patent Interference No. 105,343 (RES)
(Technology Center 2800)



DECLARATION - Bd.R. 203(d)¹

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties.
3 Details of the application(s), patent (if any), reissue application (if any), count(s) and claims
4 designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this
5 DECLARATION.

6 **Part B. Judge managing the interference**

7 Administrative Patent Judge Richard E. Schafer has been designated to manage the
8 interference. 37 CFR § 41.104(a).

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

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A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION.

The STANDING ORDER applies to this interference.

Part D. Initial conference call

A telephone conference call to discuss the interference is set for **3:00 p.m. on March 22, 2006** (the Board will initiate the call).

No later than **two business days** prior to the conference call, each party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (37 CFR §§ 41.120 & 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to the conference call and to agree on dates for taking action. A typical motion period lasts approximately eight (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named inventor: Koichi Takahashi

Involved Patents: 6,317,267

6,195,207

5,875,056

Title: Head or Face Mounted Image Display Apparatus

Assignee: Olympus Optical Co., LTD.

Senior Party

Named Inventors: Shoichi Yamazaki and Takeshi Nishimura

Involved Application: 09/511,243

Title: Head-up Display Device with Curved Optical Surface Having Total Reflection

Assignee: Canon Kabushiki Kaisha

1 The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit
2 numbers 2001-2999. 37 CFR § 41.154(c)(1); SO ¶ 154.2.1. The senior party is responsible for
3 initiating settlement discussions. SO ¶ 126.1.

4 **Part F. Count and claims of the parties**

5 Count 1

6 Claim 11 of Application 09/511,243 or
7 Claim 17 of Application 09/511,243 or
8 Claim 23 of Application 09/511,243 or
9 Claim 48 of Application 09/511,243 or
10 Claim 58 of Application 09/511,243 or
11 Claim 5 of Patent 5,875,056 or
12 Claim 8/1 of Patent 6,195,207 or
13 Claim 1 of Patent 6,317,267.

14
15 The claims of the parties are:

16 Canon

17 Application 09/511,243: Claims 11-63

18 Olympus

19 1. Patent 6,317,267: Claims 1-11

20 2. Patent 6,195,207: Claims 1-14

21 3. Patent 5,875,056: Claims 1-24

22 The claims of the parties which correspond to Count 1 are:

23 Canon

24 Application 09/511,243: Claims 11-63

25 Olympus

26 1. Patent 6,317,267 : Claims 1-11

27 2. Patent 6,195,207: Claims 1, 2, 8-14

1 3. Patent 5,875,056:

2 Claims 1, 3-10, 14-15, 17/10,² 17/14-15,

3 18/5-7, 18/10, 18/14-15, 19/5-7, 19/10,

4 19/14-15, 20/5-7, 20/10, 20/14-15, 21/5-7,

 21/10, 21/14-15, 22-24

6 The claims of the parties which do not correspond to Count 1, and therefore are not involved
7 in the interference, are:

8 Canon

9 Application 09/511,243: None

10	Olympus	
11	1. Patent 6,317,267 :	None
12	2. Patent 6,195,207:	3-7
13	3. Patent 5,875,056:	Claims 11-13, 16, 17/11-13, 18/11-13,
14		19/11-13, 20/11-13, 21/11-13

15 The parties are accorded the following benefit for Count 1:

16	Canon
17	08/959,285 (10/24/97)
18	08/478,688 (6/07/95)

19	Olympus
20	09/229,981 (1/14/99)
21	08/912,119 (8/15/97)
22	08/505,516 (7/21/95)

2 The claim(s) after the "/" depend directly upon the claim before the "/" The designation does not show the complete chain of dependency. E.g. The Claim designated 20/7 depends directly from Claim 7 while Claim 7 itself depends from Claim 5.

cc (via overnight delivery):

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